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PILLSBURY WINTHROP SHAW PITTMAN, LLP
P.O. BOX 10500
MCLEAN, VA 22102

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OFFICE OF PETITIONS

In re Application of :
Kristiansen, et al. : DECISION ON PETITION
Application No. 10/785,418 :
Filed: February 25, 2004 :
Docket No.: 065322-0308491 :

This decision is in response to the renewed petition to withdraw the holding of abandonment under 37 CFR 1.181 filed June 12, 2006.

This application was held abandoned September 14, 2005 for failure to timely submit a proper reply to the Notice to File Missing Parts (Notice). The Notice, mailed July 13, 2005, set a two month shortened statutory period of time for reply. Notice of Abandonment was mailed March 14, 2006. A petition under 37 CFR 1.181 was filed March 24, 2006 and dismissed May 5, 2006.

Petitioners allege that a reply to the Notice was timely submitted on August 19, 2005 and have included as proof of submission and proof of receipt of the reply a date-stamped return receipt acknowledging Office receipt of the reply.

A review of the official record does not reveal that a response was received on August 19, 2005 as argued by petitioners.. However, in view of the evidence submitted, Notice of Abandonment is hereby **VACATED**; the holding of abandonment is hereby **WITHDRAWN**; and the petition is hereby **GRANTED**.

This application is being directed to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3205.

Alesia M. Brown
Petitions Attorney
Office of Petitions